

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2001 Legislative Session**

C. DCA ADMINISTRATION

(1) NEW PROGRAMS

AB 269 Correa	<u>Division of Enforcement Oversight</u> Would create the Division of Enforcement Oversight within the Department of Consumer Affairs and would require the Division, under the direction of the Director of Consumer Affairs, to monitor and evaluate the consumer complaint and discipline system of each board; would provide that the executive officer of each board within the department be appointed by a three-member panel comprised of a representative of the board, the Department's Director, and the Governor's Appointments Secretary.	Two Year Bill
AB 875 Horton	<u>California Auctioneer Commission</u> See page 25.	Two Year Bill
SB 537 Vasconcellos	<u>Alcohol and Drug Abuse Counselors Study</u> See page 33.	Vetoed
SB 694 Sher	<u>Regulation of Athlete Agents</u> See page 25.	Vetoed
SB 887 Polanco	<u>Master Cosmetologist License</u> See page 32.	Two Year Bill

(2) GENERAL ADMINISTRATION

AB 146 Wayne	<u>State Attorneys and Administrative Law Judges: Service on State Bodies</u> See page 7.	Enacted
AB 192 Canciamilla	<u>Open Meetings Requirements</u> Requires teleconference meetings to be held in a public place with board members present; revises the definitions of a meeting of a state body; and modifies the basis for holding teleconference calls.	Enacted
AB 260 Frommer	<u>State Departments: Investigations and Hearings</u> Expands state agency powers to issue interrogatories during the course of investigations, and gives state courts greater flexibility in fashioning remedies in antitrust actions brought by the Attorney General's office on behalf of the state and state agencies.	Enacted

AB 363 Steinberg	<u>State Attorneys: Whistleblower Protections</u> See page 7.	Two Year Bill
AB 677 Steinberg	<u>Persons with Disabilities</u> Provides that no person in the state shall be unlawfully denied full and equal access to the benefits of, or unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state; and revises the definition of 'disability' for these purposes.	Enacted
AB 805 Shelley	<u>State Agency Websites: Non-English Information</u> Would have required each state agency website to provide links to appropriate non-English information, including information at least in Spanish and Chinese, consistent with the requirements of the Dymally-Alatorre Bilingual Services Act. The bill would have also required each state agency that maintains a website to report annually to the Assembly concerning how it was complying with this requirement.	Failed
AB 914 Shelley	<u>Public Records</u> Would have amended the Public Records Act to require public agencies and courts to release to the public any record not expressly prohibited from disclosure by a specific provision of law if the agency or court found that withholding the record would have harmed the public interest, public safety, or the constitutional rights of any person.	Two Year Bill
AB 1014 Papan	<u>Public Records Requests</u> Requires state and local agencies to assist the public in making requests for public records and to state the estimated date and time when disclosable public records will be made available.	Enacted
AB 1015 Wright	<u>Employee Protections</u> Extends employee anti-discrimination laws to applicants for employment and job training programs, and prohibits discrimination against employees and applicants for employment engaged in lawful conduct outside of employment, as specified. Provides an exemption for law enforcement agencies.	Enacted
AB 1037 Firebaugh	<u>State Attorneys: Compensation</u> Would have required that the compensation for attorneys employed by the State of California be consistent with the salary of public sector attorneys.	Withdrawn by author

AB 1110 Pescetti	<u>State Employees: Reinstatement</u> Would have extended from 15 to 30 days the period during which a state employee absent without approved leave could have filed a request for reinstatement; provided that an AWOL state employee subsequently reinstated would have received back pay and benefits from the date of appeal of the date of reinstatement; and expanded the authority of the Department of Personnel Administration to set aside an AWOL separation based on fraud, discrimination, or bad faith.	Vetoed
AB-1442 Pescetti	<u>Contract Specifications: Substitutions</u> Broadens existing law governing the ability of contractors to submit information justifying the substitution of products deemed to be equal to products specified in bids for contracts with public agencies.	Enacted
SB 71 Burton	<u>Workers' Compensation: Administration and Benefits</u> Would have increased workers' compensation benefits and made reforms in the administration of the workers' compensation system.	Vetoed
SB 99 Morrow	<u>Attorney General Opinions</u> Expands the list of public officials who may request written opinions from the Attorney General to include members of the Legislature, the Lieutenant Governor, the Insurance Commissioner, county counsels, and sheriffs.	Enacted
SB 132 Burton	<u>Public Employees' Retirement: Minimum Benefits</u> Would have increased the minimum monthly retirement allowance amounts for eligible CalPERS members and their beneficiaries and survivors, provided the member retired prior to January 1, 2001 with at least 16 years of credited state service.	Vetoed
SB 153 Knight	<u>Law Revision Commission Repeal of Obsolete Statutes</u> Repeals numerous obsolete or expired pilot projects and reporting requirements.	Enacted
SB 360 Machado	<u>State Employees: Wages</u> Would have required state employee wages to be paid on regularly designated paydays, and wages for work performed in excess of the normal work period to be paid no later than the next payroll period. Would have specified civil and misdemeanor penalties for violations of these requirements.	Two Year Bill
SB 371 Escutia	<u>Court Interpreters</u> See page 11.	Two Year Bill
SB 410 Kuehl	<u>Arbitration</u> See page 11.	Two Year Bill

SB 413 Speier	<u>Whistleblower Protection</u>	Enacted
	Makes various changes to the California Whistleblower Protection Act which provides protection to state employees who report improper governmental activity.	
SB 561 Morrow	<u>Administrative Procedure Act: Electronic Notice Requirements</u>	Enacted
	Consolidates duplicative provisions in the Administrative Procedure Act relating to the use of electronic communications by public agencies to give notice of proposed regulations, or proposed regulatory appeals or amendments, and to receive comments by electronic mail.	
SB 987 Escutia	<u>The Dymally-Alatorre Bilingual Services Act</u>	Failed
	Would have required 1) state agencies to provide translated written materials at offices serving groups that constitute a substantial number of non-English speaking people, 2) revised criteria for determining a “ <i>substantial number of non-English speaking people</i> ”, 3) state agencies to reassess groups who constitute a substantial number of non-English speaking people beginning 2002 and biennially thereafter, 4) every state agency/department to establish an effective bilingual services program and inform the public of bilingual services offered, 5) the State Personnel Board to establish a complaint process, and 6) the SPB survey and report of the number of bilingual employees in state and local governmental service and require the SPB to provide oversight.	
SB 1006 Soto	<u>State Employment: Reimbursement of Educational Expenses</u>	Failed
	Would have permitted the State Personnel Board, upon a determination of a serious recruitment shortage in a class or group of classes of employment, to authorize state agencies to reimburse new or incumbent state employees, who were in career development paths that are determined to be in hard-to-recruit classes, for their college tuition, books, and other educational expenses.	
SB 1033 Knight	<u>Bid Preferences: Disabled Veteran Business Enterprises</u>	Failed
	Would have created an additional 3% bid preference for small businesses that are also certified as disabled veteran business enterprises, and would have raised the limit for the small business bid preference and the disabled veteran business enterprise to \$80,000 each.	
SB 1045 Polanco	<u>Public Employment and Contracting Outreach</u>	Failed
	Would have declared the intent of the Legislature to reaffirm diversity as a public policy goal in public employment and public contracting and authorized governmental agencies to engage in various general recruitment and outreach programs and focused outreach activities to increase diversity in public employment and public contracting.	

SB 1161 Polanco	<u>State Civil Service Examinations</u>	Failed
	Would have established a state policy with respect to the dissemination of examination and employment information and required the State Personnel Board to develop, by rule, a system requiring state agencies and departments to implement this policy. Would also have required each department to submit to the State Personnel Board by December 15, 2002 a listing of examinations that would have required validation and estimated costs of validation.	
SB 1191 Speier	<u>Repeal of Reporting Requirements</u>	Enacted
	See page 36.	
SB 1197 Romero	<u>Sick Leave</u>	Vetoed
	Would have provided that if an employer who maintains an absence control policy that counts sick leave used to attend to an illness of a child, parent, or spouse as a basis for discipline, discharge, demotion, or suspension would be in violation of the law, and entitled an employee working under the policy to appropriate relief.	